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cont

Claim 26 (amended):

A [transformed] plant cell comprising a gene encoding a *Bacillus thuringiensis* [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

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Claim 27 (amended):

A [transformed] dicotyledonous plant cell comprising a gene encoding a *Bacillus thuringiensis* [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

Claim 28 (amended):

A [transformed] monocotyledonous plant cell comprising a gene encoding a *Bacillus thuringiensis* [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

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Claim 29 (amended):

A [transformed] plant cell comprising a gene encoding a *Bacillus thuringiensis* var. *kurstaki* [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein

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fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

Claim 30 (amended):

A [transformed] dicotyledonous plant cell comprising a gene encoding a *Bacillus thuringiensis* var. *kurstaki* [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

Claim 31 (amended):

A [transformed] dicotyledonous plant cell comprising a gene encoding a *Bacillus thuringiensis* var. *kurstaki* HD-1 [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

Claim 32 (amended):

A [transformed] dicotyledonous plant cell comprising a gene encoding a *Bacillus thuringiensis* var. *kurstaki* HD-73 [crystal protein or protein] endotoxin or endotoxin fragment, [which] said gene [is] being under the control of a promoter functional in such plant cell, [to which plant cell insect resistance is conferred by the expression of the gene encoding the crystal protein or protein fragment in an amount which is] wherein said gene is expressed at a level rendering such cell toxic to an insect.

Claim 33 (amended):

A method for ~~controlling~~ insects harmful to plants comprising the steps of

producing insecticidal proteins